

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**IN RE BIOPURE CORPORATION
SECURITIES LITIGATION**

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**CIVIL ACTION NO.
03-12628-NG**

NOTICE OF WITHDRAWAL OF DEFENDANTS' MOTION FOR RECONSIDERATION

On April 21, 2006 defendants Biopure Corporation, Thomas A. Moore, Howard P. Richman, Ronald F. Richards, Carl W. Rausch, Charles A. Sanders and J. Richard Crout (collectively "Defendants") filed a Motion for Reconsideration of the Court's Order dated March 28, 2006 in the above-captioned action. In light of the May 1, 2006 Status Conference, Defendants hereby withdraw their previously filed Motion for Reconsideration. Defendants reserve all rights to present these issues in any subsequent motion for summary judgment and to appeal the Court's determination in the Motion to Dismiss.

Respectfully submitted,

**BIOPURE CORPORATION, THOMAS A.
MOORE, HOWARD P. RICHMAN, RONALD
F. RICHARDS, CARL W. RAUSCH,
CHARLES A. SANDERS AND J. RICHARD
CROUT**

By their attorneys,

/s/ Robert A. Buhlman

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May 4, 2006

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above pleading was electronically served upon the attorneys of record for all parties on May 4, 2006.

/s/ Robert A. Buhlman
Robert A. Buhlman